

case of an individual who receives such individual's first stipend under this part in academic year 1999-2000 or any succeeding academic year, such stipend shall be set at a level of support equal to that provided by the National Science Foundation graduate fellowships, except such amount shall be adjusted as necessary so as not to exceed the fellow's demonstrated level of need as determined under part F of title IV.

“(c) **TREATMENT OF INSTITUTIONAL PAYMENTS.**—An institution of higher education that makes institutional payments for tuition and fees on behalf of individuals supported by fellowships under this part in amounts that exceed the institutional payments made by the Secretary pursuant to section 656(a) may count the excess of such payments toward the amounts the institution is required to provide pursuant to section 654(b)(2).

“(d) **ACADEMIC PROGRESS REQUIRED.**—Notwithstanding the provisions of subsection (a), no student shall receive an award—

“(1) except during periods in which such student is maintaining satisfactory progress in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, or

“(2) if the student is engaging in gainful employment other than part-time employment involved in teaching, research, or similar activities determined by the institution to be in support of the student's progress towards a degree.

“**SEC. 656. ADDITIONAL ASSISTANCE FOR COST OF EDUCATION.**

“(a) **INSTITUTIONAL PAYMENTS.**—(1) The Secretary shall (in addition to stipends paid to individuals under this part) pay to the institution of higher education, for each individual awarded a fellowship under this part at such institution, an institutional allowance. Except as provided in paragraph (2), such allowance shall be—

“(A) \$10,000 annually with respect to individuals who first received fellowships under this part prior to academic year 1999-2000; and

“(B) with respect to individuals who first receive fellowships during or after academic year 1999-2000—

“(i) \$10,000 for the academic year 1999-2000; and

“(ii) for succeeding academic years, \$10,000 adjusted annually thereafter in accordance with inflation as determined by the Department of Labor's Consumer Price Index for the previous calendar year.

“(2) The institutional allowance paid under paragraph (1) shall be reduced by the amount the institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

“(b) **USE FOR OVERHEAD PROHIBITED.**—Funds made available pursuant to this part may not be used for the general operational overhead of the academic department or program.

“**SEC. 657. CONTINUATION AWARDS.**

“Before making new awards under this part for any fiscal year, the Secretary shall, as appropriate, making continuation awards to recipients of awards under parts B, C, and D of title IX as in effect prior to the enactment of the Higher Education Amendments of 1998.

“**SEC. 658. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated \$40,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this part.”

(b) **REPEAL.**—Title IX (20 U.S.C. 1134 et seq.) is repealed.

The CHAIRMAN. Are there any amendments to title VI?

AMENDMENT NO. 21 OFFERED BY MR. KILDEE

Mr. KILDEE. Mr. Chairman, I offer an amendment on behalf of the gentleman from California (Mr. FARR).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. KILDEE: Page 310, strike line 3 and insert the following (and redesignate the succeeding paragraph accordingly):

(3) in subsection (c)(2)—

(A) by striking “and” at the end of subparagraph (E);

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph;

“(F) professional graduate degrees in translation and interpretation; and”;

Mr. KILDEE. Mr. Chairman, I will be very brief. This provides funds under section F for professional graduate degrees in translation and interpretation. It adds those being eligible for funds.

Mr. GOODLING. Mr. Chairman, will the gentleman yield to me?

Mr. KILDEE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, we accept the amendment.

Mr. KILDEE. Mr. Chairman, I thank the gentleman for accepting the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VI?

The Clerk will designate title VII.

The text of title VII is as follows:

TITLE VII—CONSTRUCTION, RECONSTRUCTION, AND RENOVATION OF ACADEMIC FACILITIES

SEC. 701. EXTENSION OF PRIOR RIGHTS AND OBLIGATIONS.

Section 702(a) (20 U.S.C. 1132a-1(a)) is amended by striking “fiscal year 1993” and inserting “fiscal year 1999”.

SEC. 702. REPEAL OF PART A.

(a) **REPEAL.**—Part A of title VII (20 U.S.C. 1132b et seq.) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 701(b) (20 U.S.C. 1132a(b)) is amended by striking “part A or B” and inserting “part B”.

(2) Part B of title VII is amended by striking section 726 (20 U.S.C. 1132c-5).

(3) Section 781 (20 U.S.C. 1132i) is amended by striking “part A of this title, or” each place it appears.

SEC. 703. EXTENSION OF AUTHORIZATION OF PART B.

Section 727(c) (20 U.S.C. 1132c-6(c)) is amended by striking “fiscal year 1993” and inserting “fiscal year 1999”.

SEC. 704. EXTENSION OF AUTHORIZATION OF PART C.

Section 735 (20 U.S.C. 1132d-4) is amended by striking “fiscal year 1993” and inserting “fiscal year 1999”.

Mr. GOODLING. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RIGGS) having assumed the chair, Mr. GUTKNECHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes, had come to no resolution thereon.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. WELLER. Mr. Speaker, some ask why is it so important we pass the Marriage Tax Elimination Act. Clearly I think three questions best answer that big question.

Do Americans feel that it is fair that a working married couple pays higher taxes just because they are married?

Do Americans feel that it is fair that 21 million married working couples pay on average \$1,400 more in taxes than an identical couple living together outside of marriage?

Do Americans feel that it is right that our Tax Code actually provides an incentive to get divorced?

Of course not. Americans recognize that the marriage tax is wrong and it is time to do something about it. If you think about it, 21 million Americans paying \$1,400 more just because they are married, that is real money for real people. The south side of Chicago, the south suburbs that I have the privilege of representing, \$1,400 is one year's tuition at a local community college, three months of day care at a local child care center, several months worth of car payments.

The Marriage Tax Elimination Act is gaining momentum. Let us eliminate the marriage tax. Let us eliminate it now.

Mr. WELLER. Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

In January, President Clinton gave his State of the Union Address outlining many of the things he wants to do with the budget surplus.

A surplus provided by the bipartisan budget agreement which: cut waste, put America's fiscal house in order, and held Washington's feet to the fire to balance the budget.

While President Clinton paraded a long list of new spending totaling at least \$46-\$48 billion in new programs—we believe that a top priority should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions: Do Americans feel its fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel its fair that the average married working couple pays almost \$1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong!

Since 1969, our tax laws have punished married couples when both spouses work. For

no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes \$30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home \$30,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE IN THE SOUTH SUBURBS

| Adjusted gross income | Machinist \$30,500 | School Teacher \$30,500 | Couple \$61,000 |
|--|-----------------------|-------------------------------|--------------------|
| Less personal exemption and standard deduction | \$6,550 | \$6,550 | \$11,800 |
| Taxable income | \$23,950 | \$23,950 | \$49,200 |
| Tax liability | \$3592.5 | \$3592.5 | \$8563 |
| Marriage penalty | | | \$1378 |

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of \$61,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of \$1400 in higher taxes.

On average, America's married working couples pay \$1,400 more a year in taxes than individuals with the same incomes. That's serious money. Everyday we get closer to April 15th more married couples will be realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: a down payment on a house or a car, one years tuition at a local community college, or several months worth of quality child care at a local day care center.

To that end, Congressman DAVID MCINTOSH and I have authored the Marriage Tax Elimination Act.

It would allow married couples a choice in filing their income taxes, either jointly or as individuals—which ever way lets them keep more of their own money.

Our bill already has the bipartisan cosponsorship of 232 Members of the House and a similar bill in the Senate also enjoys widespread support.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents know better than Washington what their family needs.

We fondly remember the 1996 State of the Union address when the President declared emphatically that, quote "the era of big government is over."

We must stick to our guns, and stay the course.

There never was an American appetite for big government.

But there certainly is for reforming the existing way government does business.

And what better way to show the American people that our government will continue along the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and Gentlemen, we are on the verge of running a surplus. It's basic math.

It means Americans are already paying more than is needed for government to do the job we expect of it.

What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty * * * a bipartisan priority.

Of all the challenges married couples face in providing home and hearth to America's children, the U.S. tax code should not be one of them.

Let's eliminate The Marriage Tax Penalty and do it now!

WHICH IS BETTER, 3 WEEKS OR 3 MONTHS?

NOTE: The President's Proposal to expand the child care tax credit will pay for only 2 to 3 weeks of child care. The *Weller-McIntosh Marriage Tax Elimination Act H.R. 2456*, will allow married couples to pay for 3 months of child care.

CHILD CARE OPTIONS UNDER THE MARRIAGE TAX ELIMINATION ACT

| | Average tax relief | Average weekly day care cost | Weeks day care |
|---|--------------------|------------------------------|----------------|
| Marriage tax elimination act | \$1,400 | \$127 | 11 |
| President's child care tax credit | \$358 | \$127 | 2.8 |

LET US NOT PLAY POLITICS ON SUBJECT OF LEGAL AND ILLEGAL DRUG USE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I hope this morning we can start afresh and not play politics with illegal drug use. My Republican friends know full well that both Democrats and Republicans have been strong against the illegal use of drugs. We understand that along with talking about being against illegal use of drugs comes prevention and intervention.

The needle exchange program has nothing to do with supporting the illegal use of drugs. It is plain common sense, folks. People who use drugs are addicted, they are sick, they need intervention, they need prevention, they need treatment.

The use of clean needles saves lives, it prevents the spread of HIV, it keeps from killing our children, wives, husbands, family members, Americans, and we need to get off this politics on the illegal use of drugs and comparing that to clean needle exchange.

Mr. Speaker, I hope my colleagues will stop playing politics with tobacco and help prevent the use of tobacco

with our young people, and I hope they will stop fooling around with a life-and-death matter of clean needles to save lives for Americans. Let us get down to the business of doing what the American people want us to do.

Mr. Speaker, I rise today to urge my colleagues to move swiftly on tobacco legislation.

A new report by the surgeon general shows that teen smoking rose dramatically among African-Americans and Hispanics. For example, smoking among African-American high school students was up by a startling 80 percent. The report shows that smoking is also a major cause of death and disease among all minority and ethnic groups. And African-American men bear the greatest health burdens from lung cancer. Mr. Speaker these numbers are disturbing and it underscores the need for comprehensive tobacco legislation. Smoking is devastating to our children, especially because of its addictive nature. We need to focus on early intervention so our kids can kick the habit before they get hooked.

I urge my colleagues to make tobacco legislation a top priority, so our kids will lead healthy lives.

WHY DO DEMOCRATS WANT TO BLOCK INVESTIGATION?

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, last week 19 House Democrats on the Committee on Government Reform and Oversight voted in lock step to block immunity to four essential witnesses. Over 90 people in this investigation have taken the fifth amendment or fled the country, and the only way the Americans can get to the truth of it is to give immunity to some of the witnesses who have not fled the country. So why have the Democrats voted against it? Why do they want to block the investigation?

Here is the letter from the Justice Department saying they had no problems given Irene Wu, Nancy Lee and Larry Wong immunity if they testify, but 19 House Democrats have blocked it. Why are they trying to obstruct justice? Maybe because of this.

The President's own attorney general has appointed six independent counsels on this particular administration, and these independent counsels have brought results: the Whitewater investigation, eleven guilty pleas, three convictions, two indictments pending; the Espy investigation, six guilty pleas, six convictions, three indictments pending; the Cisneros investigation, one guilty plea, six indictments pending.

Maybe that is why the 19 House Democrats voted lock step to keep the truth from the American people and obstruct justice in their own partisan way.